



APR 15 2005 4:21PM TTC-PA 650-326-2422

NO. 521

P. 1

PTO/SB/21 (09-04)

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3

Application Number

10/006,069

Filing Date

December 8, 2001

First Named Inventor

Rebar, Edward

Art Unit

1642

Examiner Name

Christopher H. Yaen

Attorney Docket Number

019496-005830US

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Comments on Examiner's Amendment (2 pages)
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Remarks

The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

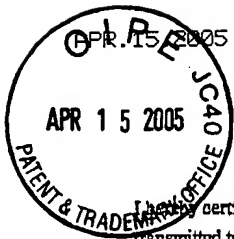
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Townsend and Townsend and Crew LLP		
Signature			
Printed name	Joe Liebeschuetz		
Date	April 15, 2005	Reg. No.	37,505

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (703) 748-4000 on April 15, 2005			
Signature			
Typed or printed name	Aubrett Baker	Date	April 15, 2005

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NO. 521

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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 703-746-4000 on April 15, 2005.

PATENT
Attorney Docket No.: 019496-005830US
Client Ref. No.: S24-US4

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TOWNSEND and TOWNSEND and CREW LLP

By: 

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Rebar et al.

Pei-Qi Liu
Alan Wolffe
Stephen P. Eisenberg

Application No.: 10/006,069

Filed: December 6, 2001

For: REGULATION OF
ANGIOGENESIS WITH ZINC FINGER
PROTEINS

Customer No.: 20350

Confirmation No. 2374

Examiner: Christopher H. Yaen

Technology Center/Art Unit: 1642

COMMENTS ON EXAMINER'S
AMENDMENT

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Allowance mailed February 23, 2005, applicants wish to make the following remarks of record.

Remarks/Arguments begin on page 4 of this paper.

Appl. No. 10/006,069
Amdt. dated March 16, 2005
Response to Notice of Allowance February 23, 2005

PATENT

REMARKS/ARGUMENTS

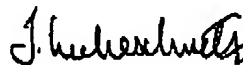
The Examiner's amendment deleted the term "pharmaceutical" from claims directed to pharmaceutical compositions. This amendment appears to reflect the Office's current ideology rather than the merits of this application.

Applicants note for the record that this amendment does not in any way diminish the claim scope. That the specification enables the claimed compositions for pharmaceutical use is evidenced by, for example, the animal model experiments described therein. Furthermore, the pharmaceutical efficacy of the claimed compositions has been demonstrated in two accepted model systems for angiogenesis¹ as described in the following research papers:

Rebar *et al.* (2002) "Induction of Angiogenesis in a Mouse Model Using Engineered Transcription Factors" *Nature Medicine* 8:1427-1432

Dai *et al.* (2004) "Engineered Zinc Finger-Activating Vascular Endothelial Growth Factor Transcription Factor Plasmid DNA Induces Therapeutic Angiogenesis in Rabbits with Hindlimb Ischemia" *Circulation* 110:2467-2475.

Respectfully submitted,



Joe Liebeschuetz
Reg. No. 37,505

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JOL:jol
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¹ See *In re Brana*, 34 USPQ2d 1436 (Fed. Cir. 1995).